

DAE/ifu
[Signature]

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent application of)	PATENT
)	
William Setter et al.)	Confirmation No.4584
)	
Serial No. 10/767,190)	Art Unit. 3721
)	
Filed: January 30, 2004)	Atty. Dkt. No.: 119508-00102
)	
For: SYSTEM AND METHOD FOR CONTROLLING)	
AN IMPACT TOOL)	

PETITION UNDER 37 C.F.R. §1.47(a)

MS Missing Parts
Commissioner of Patents
PO Box 1450
Alexandria, VA 22313-1450

Sir:

Applicant, Vankata Ramana Srinivasa Hogirala, respectfully petitions to apply for a patent on the basis of the above-captioned application on behalf of himself and of the non-signing inventor, William Setter. Applicant has assigned all rights in the above-identified application to Abas Inc., a wholly owned subsidiary of Methode Electronics, Inc. The required petition fee set forth in 37 C.F.R. §1.17(h) is enclosed.

The last known address of the non-signing inventor is 2272 Peppermill Court, Hartland, MI, 48353.

The facts relating to the non-signing inventor's refusal to sign are set forth in the accompanying Declaration by Lawrence T. Rupert of Methode Electronics, Inc.

In the event there are any questions relating to this Petition or to the application in general, it would be appreciated if the Examiner would telephone the undersigned attorney.

12/15/2004 CNGUYEN 00000060 232185 10767190

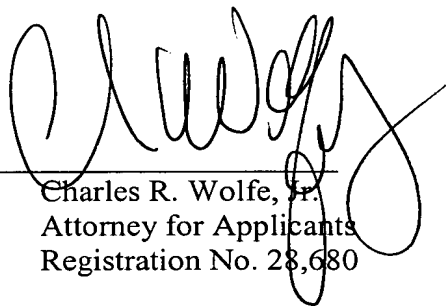
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Please charge any shortage of fees or credit any overpayment thereof to BLANK ROME, LLP, Deposit Account No. 23-2185 (119508-00102). In the event that a petition for an extension of time is required to be submitted herewith and in the event that a separate petition does not accompany this report, Applicants hereby petition under 37 C.F.R. §1.136(a) for an extension of time for as many months as are required to render this submission timely. Any fee due is authorized above.

Respectfully submitted,

Date: December 14, 2004

By:



Charles R. Wolfe, Jr.
Attorney for Applicants
Registration No. 28,680

Customer No. 002779
BLANK ROME, LLP
The Watergate
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Washington, D.C. 20037
Telephone: (202) 772-5800
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent application of)	Examiner: Not Yet Assigned
)	
William Setter et al.)	Confirmation No.4584
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Serial No. 10/767,190)	Art Unit. 3721
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Filed: January 30, 2004)	Atty. Dkt. No.: 119508-00102
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For: SYSTEM AND METHOD FOR CONTROLLING)	
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DECLARATION OF LAWRENCE T. RUPERT

MS Missing Parts
Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Sir:

In support of the Petition under 37 C.F.R. §1.47(a) filed in the above-captioned application, I, Lawrence T. Rupert, hereby declare as follows:

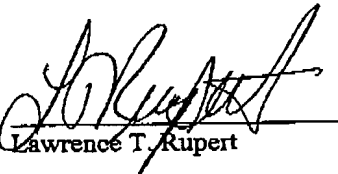
1. I am employed by Methode Electronics, Inc., a Delaware Corporation having its principal place of business at 7401 West Wilson Avenue, Chicago, Illinois 60706 and have in-house responsibility for coordinating the preparation and filing of patent applications.
2. William Setter invented the above identified invention while an employee of Fast LLC, a wholly owned subsidiary of Fast Technology AG. Methode Electronics, Inc. has acquired all of the intellectual property assets owned by Fast Technology AG through its wholly owned subsidiary Abas, Inc. Mr. Setter was under an obligation to assign all rights to Fast LLC and perform all acts necessary to prepare and prosecute a patent application directed to the invention while an employee with Fast LLC.
3. During a telephone conference on February 23, 2004 with Mr. Setter, Mr. Setter indicated to me his refusal to execute any legal documents associated with the above-identified application.
4. I sent a letter to Mr. Setter by certified mail on May 13, 2004, enclosing copies of the above-identified application, a Declaration for a Patent Application and an Assignment document transferring ownership of the invention to Abas Inc. which

is wholly owned by Methode Electronics, Inc. A postage receipt was signed by Lauren Setter on May 15, 2004 indicating receipt of the letter and enclosed materials. Copies of the letter and the certified mail receipt are attached as Exhibits A and B, respectfully.

5. As of the date of this Petition, I have not been contacted by Mr. Setter nor have I received the signed forms.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of any application with which this Declaration is concerned or any patent issued thereon.

Respectfully submitted,

BY: 
Lawrence T. Rupert

Date: 13 JULY 2004



111 W. Buchanan Street
P.O. Box 130
Carthage, IL 62321

Lawrence T. Rupert
Ph. 217-357-6251
Fax 217-357-6250
lrupert@methode-aecd.com

Mr. William Setter
2272 Peppermill Ct.
Hartland, MI 48353

via certified mail

13 May 2004

Dear Mr. Setter:

As you know, Methode Electronics Inc. recently filed a U.S. Patent Application titled SYSTEM AND METHOD FOR CONTROLLING AN IMPACT TOOL, of which you were named as a co-inventor along with Ramana Hogirala. Ownership of this invention came into Methode's possession through the purchase and sale to Methode of all intellectual property assets of the German company Fast AG and its divisions and subsidiaries, one of which was your employer during the period the invention was made.

Prosecuting a patent application requires the submission of a Declaration for Patent Application and Power of Attorney (Declaration / POA) and an Assignment. You advised me during a telephone conversation on 23 February 2004 of your refusal to sign these documents. On this basis, we have elected to proceed with the patent prosecution under certain statutes which provide for allowing a patent application to proceed when one of the co-inventors refuses to participate. We are required to make a good faith effort to obtain the signed documents. I am therefore sending this letter, with a Declaration / POA and Assignment, to you via certified mail in order that we may submit the necessary documents confirming that such an effort was made.

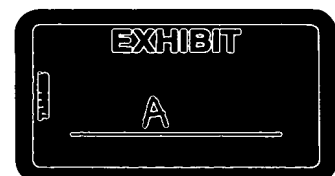
If you have had a change of heart and are now willing to sign the forms, I look forward to receiving them in the enclosed self-addressed and stamped envelope.

Very truly yours,

A handwritten signature in black ink, appearing to read 'Larry Rupert', is written over a horizontal line.

Larry Rupert

BEST AVAILABLE COPY



SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

William Setter
2272 Peppermillet
Hartland MI
48353

COMPLETE THIS SECTION ON DELIVERY

- A. Signature ☒ *Lawrence Setter* ☐ Agent
- B. Received by (Printed Name) *Lawrence Setter* ☐ Address
- C. Date of Delivery *5-15-0* ☐ Date of Delivery
- D. Is delivery address different from item 1? ☐ Yes
If YES, enter delivery address below: ☐ No

3. Service Type

- ☐ Certified Mail ☒ Express Mail
- ☐ Registered ☐ Return Receipt for Merchandise
- ☐ Insured Mail ☐ C.O.D.

4. Restricted Delivery? (Extra Fee) ☐ Yes

2. Article Number

(Transfer from service label)

ER 35814946845

PS Form 3811, February 2004

Domestic Return Receipt

102595-02-M-1

UNITED STATES POSTAL SERVICE



First-Class Mail
Postage & Fees Paid
USPS
Permit No. G-10

• Sender: Please print your name, address, and ZIP+4 in this box •

LAWRENCE RUPERT
METHUEN ELECTRONICS INC.
111 BUCHANAN ST.
CARHALE IL 62321

EXHIBIT

8

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